

SUMMARY REPORT OF INVESTIGATION

I. EXECUTIVE SUMMARY

Date of Incident:	April 10, 2018
Time of Incident:	10:30pm
Location of Incident:	[REDACTED]
Date of COPA Notification:	May 9, 2018
Time of COPA Notification:	12:00pm

On April 10, 2018, members of the Chicago Police Department's DEA Task Force developed information used to obtain a search warrant for [REDACTED] Officers executed the warrant and found no occupants, contraband or money in the apartment. After the search was conducted, [REDACTED] the resident of the apartment, returned home and alleged that her home was unlawfully searched and that \$1,200 hundred dollars was stolen from under her bedroom mattress. COPA learned that the target of the warrant did reside at the apartment complex however he stayed in a different unit. COPA finds the Department members relied on reasonable information when obtaining the warrant and lawfully executed a valid warrant. Accordingly, these allegations are Exonerated and Not Sustained.

II. INVOLVED PARTIES

Involved Officer #1:	[REDACTED] star # [REDACTED] employee ID# [REDACTED] Date of Appointment – [REDACTED] 1990, Police Sergeant Unit of Assignment Unit [REDACTED] Date of Birth [REDACTED] 1963, Male, Black
Involved Officer #2:	[REDACTED] star # [REDACTED] employee ID# [REDACTED] Date of Appointment – [REDACTED] 2003, Police Officer, Unit of Assignment Unit [REDACTED] Date of Birth [REDACTED] 1970, Male, Black
Involved Officer #3:	[REDACTED] star # [REDACTED] employee ID# [REDACTED] Date of Appointment – [REDACTED] 1995 Police Officer, Unit of Assignment Unit [REDACTED] Date of Birth [REDACTED] 1968, Male, White
Involved Officer #4:	[REDACTED] star # [REDACTED] employee ID# [REDACTED] Date of Appointment – [REDACTED] 1996, Police Officer, Unit of Assignment Unit [REDACTED] Date of Birth – [REDACTED] 1973, Male, White

Involved Individual #1: [REDACTED] Date of Birth - [REDACTED] 1989,
Female, Black

III. ALLEGATIONS

Officer	Allegation	Finding / Recommendation
Sergeant [REDACTED] [REDACTED]	<p>It is alleged that on April 10, 2018 Sergeant [REDACTED] conducted an unlawful search on the Complainant's residence located at [REDACTED] Chicago IL 60615</p> <p>It is further alleged by the Complainant that Sergeant [REDACTED] absconded with \$1,200.00 dollars from her residence.</p>	Exonerated
Officer [REDACTED]	<p>It is alleged that on April 10, 2018 Officer [REDACTED] conducted an unlawful search on the Complainant's residence located at [REDACTED] Chicago IL 60615</p> <p>It is further alleged by the Complainant that Sergeant [REDACTED] absconded with \$1,200.00 dollars from her residence.</p>	Exonerated
Officer [REDACTED] [REDACTED]	<p>It is alleged that on April 10, 2018 Officer [REDACTED] conducted an unlawful search on the Complainant's residence located at [REDACTED] Chicago IL 60615</p> <p>It is further alleged by the Complainant that Sergeant [REDACTED] absconded with \$1,200.00 dollars from her residence.</p>	Exonerated
Officer [REDACTED]	<p>It is alleged that on April 10, 2018 Officer [REDACTED] conducted an unlawful search on the Complainant's residence located at [REDACTED] Chicago IL 60615</p>	Not Sustained

	It is further alleged by the Complainant that Sergeant [REDACTED] absconded with \$1,200.00 dollars from her residence.	Not Sustained

IV. APPLICABLE RULES AND LAWS

Rules

Rule 1: Prohibits the “Violation of any law or ordinance”

Rule 2: Prohibits, “Any action or conduct which impedes the Department’s efforts to achieve its policy and goals or brings discredit upon the Department”

Rule 6: Prohibits, “Disobedience of an order or directive, whether written or oral.”

General Orders

G02-02 The First Amendment and Police actions: "The right of the people to be secure in their persons, houses, papers, and effects, against unreasonable searches and seizures, shall not be violated, and no warrants shall issue, but upon probable cause, supported by oath or affirmation, and particularly describing the place to be searched and the persons or things to be seized."

Federal Laws

Fourth Amendment to the United States Constitution: The Fourth Amendment to the Constitution of the United States guarantees protection from unlawful arrest and unreasonable search and seizure to all persons in this country.

INVESTIGATION¹

a. Interviews

In an interview with COPA on May 9, 2018, Complainant [REDACTED] stated that on April 11, 2018, she arrived home from work at about 8:00am and noticed her apartment door had been boarded.

¹ COPA conducted a thorough and complete investigation. The following is a summary of the material evidence gathered and relied upon in our analysis.

████████ stated that when she applied pressure to the door and entered her apartment she observed that her apartment had been, “flipped upside down.”² ██████ testified that every room in her home was in disarray. ██████ then went to the management office of her building believing that she had been burglarized, and spoke to ██████ the property manager of her building. ██████ informed ██████ that police officers raided her apartment.

████████ went to her nearest police station seeking answers. She ultimately spoke to Sergeant ██████ of the Chicago Police Department by phone. Sergeant ██████ accused her of being at the apartment during the raid, which ██████ denied. Sergeant ██████ told ██████ that he would deliver the warrant to her. ██████ related that ██████ received the warrant first, and informed ██████ that the target of the search warrant was associated with another tenant in the building. ██████ related that she lives in the apartment with only her six-year-old son.³

In an interview with COPA on July 25, 2018, Sergeant ██████ stated on April 10, 2018, he was assigned to the Chicago Police Department’s DEA task force. He stated that Officer ██████ and Officer ██████ informed him that they were attempting to procure a search warrant on an apartment at ██████ apartment ██████. Sergeant ██████ explained that his team had conducted surveillance of the location and identified a target who was seen several times entering and exiting the building but could not see what apartment he resided in. Officers made an arrest and developed information about the apartment from John Doe who they used to obtain the warrant.

Sergeant ██████ drove to the location when he was informed that the warrant was signed. He met with his team on the street and briefly informed them what they were going to do, where they were going. Sergeant ██████ stated that when he entered the high-rise apartment building he informed the security guard that he and his team would be executing a search warrant. Sergeant ██████ did not disclose to the security guard what floor they were going on in case the security guard was a friend of the target of the warrant. Sergeant ██████ related that when he arrived at apartment number ██████ Group Supervisor (G.S.) ██████ knocked on the door several times and waited for an answer. G.S. ██████ made a forced entry into the apartment.

The team conducted a systematic search of the premises. Sergeant ██████ stated that the search lasted thirty to forty minutes. Sergeant ██████ related that he saw the mattresses flipped over but did not see anything under the mattresses. Sergeant ██████ stated that his team did not find any money or drugs in the apartment. Sergeant ██████ does not remember who left the copy of the search warrant, but

² Attachment 4 at 7:08

³ Attachments 4, 22 & 23

he knows a copy was left. The next day, Sergeant [REDACTED] stated that he received a phone call from a person residing in the residence stating that she did not have a copy of the search warrant and questioned why officers entered her residence. Sergeant [REDACTED] ordered Officer [REDACTED] to deliver a copy of the search warrant to the tenant. Sergeant [REDACTED] stated that he does not know [REDACTED] but believed that he spoke with her on the phone when she was complained of the search warrant.⁴

In an interview with COPA on July 24, 2018, Officer [REDACTED] provided a similar account of the execution of the search warrant on [REDACTED] as previously summarized. In sum, Officer [REDACTED] stated that on April 10, 2018 he was part of a ten man team that conducted a search warrant on [REDACTED]. The location was a high-rise apartment building.

Officer [REDACTED] stated that an unknown officer spoke to the security guard and told him that they would be utilizing the elevator. Officer [REDACTED] stated that Officer [REDACTED] stayed downstairs with the security guard while the other officers went to the subject's floor in two separate elevators. Officer [REDACTED] stated that G.S. [REDACTED] then knocked the door down with the battering ram and that he and the officers in front of him began to enter the residence. Officer [REDACTED] stated that the residence was searched for people and drugs but nothing was found. Officer [REDACTED] stated he entered every area of the residence during the search. Officer [REDACTED] related that the search lasted approximately 30 minutes and that he nor any of his fellow officers took anything out of the residence. Officer [REDACTED] stated that [REDACTED] was never a target, a subject, or a person of interest in the investigation.⁵

In an interview with COPA on July 25, 2018, Officer [REDACTED] provided a similar account of the execution of the search warrant on [REDACTED] as previously summarized. In sum, Officer [REDACTED] stated that on April 10, 2018 he was working in the Chicago Police Department's DEA task force. Officer [REDACTED] stated that he was working with Officer [REDACTED]. Officer [REDACTED] stated that he assisted Officer [REDACTED] in obtaining a search warrant for a drug dealer who lived at [REDACTED]. Officer [REDACTED] stated that an individual was arrested earlier that day and told officers that he had purchased drugs from a drug dealer who lived at [REDACTED] apartment [REDACTED]. That individual agreed to be the John Doe for the warrant. Officer [REDACTED] stated that he stayed in the car during the execution of the warrant.⁶

In an interview with COPA on July 24, 2018 Officer [REDACTED] provided a similar account of the execution of the search warrant on [REDACTED] as previously summarized. In sum, Officer [REDACTED] stated that on April 10, 2018 he was working in the Chicago Police Department's DEA task force with a

⁴ Attachment 17

⁵ Attachment 15

⁶ Attachment 14

team of approximately ten officers. Officer [REDACTED] stated that Sergeant [REDACTED] and Group Supervisor [REDACTED] briefed the officers that they would be searching an apartment located at [REDACTED] for cocaine. Officer [REDACTED] related that surveillance had been done on the location and that a drug dealer had been seen meeting with other known drug dealers. Officer [REDACTED] stated that the warrant was issued from the statements a John Doe made who had been arrested earlier that day.

Officer [REDACTED] related that entry was made to apartment [REDACTED] and a systematic search of the residence was conducted. Officer [REDACTED] stated that he primarily searched the kitchen along with the bedrooms. He stated that no drugs or money were found during the search and no items were taken from the apartment.⁷

In an interview with the DEA on September 6, 2018, **Group Supervisor** [REDACTED] stated that on April 10, 2018 he was assigned to the high intense drug assistance division for Chicago. G.S. [REDACTED] stated that he participated in a search warrant on [REDACTED] apartment number [REDACTED] which is a high-rise apartment complex. G.S. [REDACTED] explained that a confidential informant supplied his team with the information in order to retrieve the warrant. G.S. [REDACTED] stated that he was working with a team of both Chicago Police Officers, DEA Agents, and suburban area police officers. G.S. [REDACTED] related that he knocked on the apartment door and announced his office. G.S. [REDACTED] then made the determination to make force entry into the apartment. G.S. [REDACTED] primarily searched the kitchen believing there to be a handgun and heroin under the kitchen sink. When heroin could not be found G.S. [REDACTED] called Officer [REDACTED] who was with the confidential informant. Through Facetime the confidential informant assisted G.S. [REDACTED] in searching the kitchen for contraband. G.S. [REDACTED] related that although the confidential informant assured the agents they were in the right apartment, G.S. [REDACTED] and his team could not find any drugs or money.

G.S. [REDACTED] testified that he nor any of the police personnel working with him took anything from the apartment. After the search, G.S. [REDACTED] related that he notified the front desk person that the door was not completely secure. G.S. [REDACTED] related that he was not familiar with [REDACTED] at all.⁸

In an interview with the DEA on September 6, 2018, **Officer** [REDACTED] stated that on April 10, 2018, he was the affiant of a search warrant conducted at [REDACTED]. Officer [REDACTED] stated that he prepared the warrant and went with the John Doe to have it signed by a judge. Officer [REDACTED] related that it was his first time working with the informant. Officer [REDACTED] explained that he believed the

⁷ Attachment 11

⁸ Attachment 20

information he received from the informant because he had conducted independent surveillance on [REDACTED] [REDACTED] and saw the informant meeting with a known drug dealer. The informant told Officer [REDACTED] that he sells drugs for the drug dealer at [REDACTED]

During the search of the apartment, Officer [REDACTED] received a phone call from G. S. [REDACTED] stating that the officers conducting the search could not find any drugs in the apartment. Officer [REDACTED] testified that he showed the informant the apartment through Facetime. Officer [REDACTED] related that even with assistance from the informant the officers could not locate any drugs or contraband in the apartment. Officer [REDACTED] arrived at the apartment complex after the search was completed. He testified that he never went into the apartment. Officer [REDACTED] left a copy of the search warrant with a woman in a van who he believed resided in the apartment.

Officer [REDACTED] stated that G. S. [REDACTED] received a phone call from [REDACTED] stating that she never received a copy of the search warrant. Officer [REDACTED] related that he then went to [REDACTED] [REDACTED] to give her a copy of the warrant. When he arrived, she was not there so he left a copy with the management office.⁹

In a statement to COPA on May 22, 2018, [REDACTED] indicated that she has been the primary property manager for [REDACTED] for the past 4 years, which is an apartment complex located at [REDACTED] [REDACTED] She stated that on April 10, 2018, she was notified that a search warrant was executed at [REDACTED] which she knew was rented by [REDACTED] learned that police came to the apartment complex at approximately 10:30pm, spoke to the security guard on duty, gained access to into the complex, and made a forced entry into unit [REDACTED] was not at the complex at the time the police arrived. She stated that she was notified by the security guard that night at approximately 11:00pm after the police officers had already left the premises. [REDACTED] related that by 1 1:30pm she had a company put braces on the door the police destroyed to make it secure for [REDACTED]

On April 11, 2018, [REDACTED] stated that an unknown Chicago police officer dropped a copy of the search warrant off to her office in [REDACTED] recognized the name of the subject of the warrant. [REDACTED] related that the subject of the warrant is the significant other of Ms. [REDACTED] a woman who lives in apartment number 1606. [REDACTED] stated that the subject of the warrant is not on Ms. [REDACTED] lease and does not live in the apartment complex. [REDACTED] further related that the subject of the warrant comes to

⁹ Attachment 21

██████████ almost every day to pick up and drop off Ms. █████ three children and the subject of the warrant may be the father of Ms. █████ children. █████ opined that she does not believe that █████ █████ knows the subject of the warrant or █████ Lastly, █████ stated that the security guard on duty on April 10, 2018 was let go for allowing police officers to break down the door to █████ residence instead of giving them a key to the apartment.¹⁰

b. Documentary Evidence

The search warrant obtained by COPA is labeled as number █████ The warrant was issued on April 10, 2018 and was signed by Cook County Judge █████ The warrant allows Chicago Police Officers authority to search the residence of █████ and seize any controlled substance. The probable cause for the warrant originates from a John Doe informant who testified that within 48 hours of April 10, 2018 he purchased heroin from a man living in █████ █████ The John Doe went onto testify that the man had a handgun and six bags of heroin under the kitchen sink. Officers did not find any contraband in the residence.¹¹

V. ANALYSIS

██████████ alleged that on April 10, 2018, members of the Chicago Police Department unlawfully searched her apartment at █████ while she was at work and took \$1,200 dollars from underneath her bedroom mattress.

COPA obtained a copy of the search warrant which is classified as a “John Doe” warrant. Pursuant to the search warrant, the John Doe related that within the last 48 hours he went to █████ █████ and purchased heroin from a man residing in the apartment. The warrant was signed by Cook County Judge █████ █████ testified that she does not live with any man and resides in the apartment with only her minor child only.

COPA recommends a finding of **Exonerated** for the allegations that each Officer unlawfully entered █████ home and conducted a search. First, The Fourth Amendment sets out several requirements for warrants, stating that “No warrants shall issue, but upon probable cause, supported by

¹⁰ Attachment 9

¹¹ Attachments 7 & 8

Oath or affirmation, and particularly describing the place to be searched, and the persons or things to be seized."

The officers stated that they were working an investigation on a drug dealer who operated out of [REDACTED] The probable cause used to obtain the warrant was based on information developed from the John Doe who told the police that he purchased heroin from [REDACTED] [REDACTED] The surveillance was unable develop the specific unit number until the John Doe provided that information. The warrant and John Doe were presented before a Cook County Judge and the warrant was signed. Therefore, officers had a signed warrant giving them legal authority to enter and search apartment [REDACTED] therefore, COPA finds this allegation **Exonerated**.

[REDACTED] further alleged that the accused officers stole \$1,200.00 dollars from her which she kept under her bedroom mattress. COPA recommends a finding of **Not Sustained**. With the assistance of the Drug Enforcement Administration (DEA) every person who searched [REDACTED] residence was interviewed. None of the police officers or the DEA agents recalled seeing any money or drugs. The officers denied seizing anything from [REDACTED] residence. None of the testimonies given by the officers were ever impeached or contradicted by the physical evidence. Similarly, [REDACTED] statements have never been impeached, however [REDACTED] did not provide independent evidence that she had the money, or that it was taken. Accordingly, there is insufficient evidence to prove or disprove the allegation and COPA recommends a finding of **Not Sustained**.

VI. CONCLUSION

Based on the analysis set forth above, COPA makes the following findings:

Officer	Allegation	Finding / Recommendation
Sergeant [REDACTED]	<p>It is alleged that on April 10, 2018 Sergeant [REDACTED] conducted an unlawful search on the Complainant's residence located at [REDACTED] [REDACTED] Chicago IL 60615</p> <p>It is further alleged by the Complainant that Sergeant [REDACTED] absconded with \$1,200.00 dollars from her residence.</p>	Exonerated
		Not Sustained

Officer [REDACTED]	<p>It is alleged that on April 10, 2018 Officer [REDACTED] conducted an unlawful search on the Complainant's residence located at [REDACTED] [REDACTED] Apt [REDACTED] Chicago IL 60615</p> <p>It is further alleged by the Complainant that Sergeant [REDACTED] absconded with \$1,200.00 dollars from her residence.</p>	Exonerated Not Sustained
Officer [REDACTED]	<p>It is alleged that on April 10, 2018 Officer [REDACTED] conducted an unlawful search on the Complainant's residence located at [REDACTED] [REDACTED] Apt [REDACTED] Chicago IL 60615</p> <p>It is further alleged by the Complainant that Sergeant [REDACTED] absconded with \$1,200.00 dollars from her residence.</p>	Exonerated Not Sustained
Officer [REDACTED]	<p>It is alleged that on April 10, 2018 Officer [REDACTED] conducted an unlawful search on the Complainant's residence located at [REDACTED] [REDACTED] Apt [REDACTED] Chicago IL 60615</p> <p>It is further alleged by the Complainant that Sergeant [REDACTED] absconded with \$1,200.00 dollars from her residence.</p>	Exonerated Not Sustained

[REDACTED]
Deputy Chief Administrator – Chief Investigator

Date

Appendix A

Assigned Investigative Staff

Squad#:	4
Investigator:	[REDACTED]
Supervising Investigator:	[REDACTED]
Deputy Chief Administrator:	[REDACTED]